

Dated: August 6, 1998.

Jay Benforado,

Acting Associate Administrator, Office of Reinvention.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6143-5]

Regulatory Reinvention (XL) Pilot Projects

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability of Massachusetts Environmental Results Program Project XL Draft Umbrella Final Project Agreement.

SUMMARY: EPA is today requesting comments on a proposed Project XL Final Project Agreement (FPA) for the Massachusetts Department of Environmental Protection. The FPA is a voluntary agreement developed collaboratively by the Massachusetts Department of Environmental Protection, stakeholders, and EPA. Project XL, announced in the **Federal Register** on May 23, 1995 (60 FR 27282), gives regulated sources the flexibility to develop alternative strategies that will replace or modify specific regulatory requirements on the condition that they produce greater environmental benefits. EPA has set a goal of implementing a total of fifty projects undertaken in full partnership with the states.

The draft FPA for the Massachusetts Department of Environmental Protection (DEP) proposes to streamline permitting and reporting processes in the state. The Environmental Results Program (ERP), was developed to reduce the number of permits applied for, renewed, and issued through a program of facility-wide, performance-based self-certification. Beginning with a demonstration project of 23 companies, industry representatives have cooperated with Massachusetts DEP to establish criteria for reporting compliance with state performance and operating standards in certain industrial categories, without developing permits for each facility. The first 3 sectors of this project are Dry Cleaners, Photo Processors, and Printers.

Massachusetts DEP will guide companies through the process, providing explanations of laws and

regulations and ideas for meeting associated requirements. The project is intended to reduce resources expended by both the DEP and industry in the permitting process, as well as improve compliance by offering companies flexibility in pollution prevention. Massachusetts DEP believes that after an initial evaluation and revision phase, the program will be easily transferable to other industry sectors throughout Massachusetts and other states. The draft FPA would provide a framework for developing self-certification requirements for industrial sectors and for assessing whether those requirements achieve superior environmental performance.

Massachusetts proposed project is a multi-sector, multi-facility attempt to incorporate environmental management practices across entire business sectors. It is an attempt to reduce the reporting burden for affected facilities and the DEP while fostering superior environmental performance by identifying and encouraging opportunities for pollution prevention. The draft umbrella FPA would allow the Massachusetts DEP an expedited review process for later proposed addenda which will demonstrate superior environmental performance for each specific sector involved. The regulatory flexibility necessary to implement sector-specific projects will also be discussed in each sector-specific addendum.

As part of its draft FPA, Massachusetts DEP will actively work to ensure and maintain involvement of key stakeholders and the general public in ERP development. DEP has developed an ERP Design Team comprised of representatives from EPA, other government entities, environmental advocacy groups, business and industry, consulting firms, and the legal community.

DATES: The period for submission of comments ends on September 14, 1998.

ADDRESSES: All comments on the draft Final Project Agreement should be sent to: Thomas D'Avanzo, U.S. EPA, Region I, John F. Kennedy Building, Boston, MA 02203, or Chad A. Carbone, U.S. EPA, 401 M Street, SW, Room 1027WT (1802), Washington, DC 20460. Comments may also be faxed to Mr. D'Avanzo at (617) 565-4939 or Mr. Carbone at (202) 401-6637. Comments will also be received via electronic mail sent to:

davanzo.thomas@epamail.epa.gov or carbone.chad@epamail.epa.gov.

FOR FURTHER INFORMATION CONTACT: To obtain a copy of the proposed Final Project Agreement or Fact Sheet, contact: Thomas D'Avanzo, U.S. EPA, Region I, John F. Kennedy Building, Boston, MA 02203, or Chad A. Carbone, U.S. EPA, 401 M Street, SW, Room 1027WT (1802), Washington, DC 20460. The documents are also available via the Internet at the following location: "http://yosemite.epa.gov/xl/xl_home.nsf/all/homepage." In addition, public files on the Project are located at EPA Region I in Boston. Questions to EPA regarding the documents can be directed to Thomas D'Avanzo at (617) 566-3277 or Chad A. Carbone at (202) 260-4296.

To be included on the Massachusetts ERP Project XL mailing list to receive information about future public meetings, XL progress reports and other mailings from Massachusetts on the XL Project, contact: Tara Velazquez, Massachusetts Executive Office of Environmental Affairs, Department of Environmental Protection, 1 Winter Street, Boston, MA 02108. Ms. Velazquez can also be reached by telephone at (617) 292-5505. For information on all other aspects of the XL Program contact Christopher Knopes at the following address: Office of Reinvention, United States Environmental Protection Agency, Room 1029, 401 M Street, SW (1802), Washington, DC 20460. Additional information on Project XL, including documents referenced in this notice, other EPA policy documents related to Project XL, regional XL contacts, application information, and descriptions of existing XL projects and proposals, is available via the Internet at "http://yosemite.epa.gov/xl/xl_home.nsf/all/homepage" and via an automated fax-on-demand menu at (202) 260-8590.

Identification of Document: Notice of availability of Massachusetts Environmental Results Program Project XL Draft Umbrella Final Project Agreement.

Dated: August 3, 1998.

Lisa Lund,

Deputy Associate Administrator for Reinvention Programs, Office of Reinvention.

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